

11.03.00. PROCEDURE FOR PLATTING

11.03.00 STANDARDS AND REQUIREMENTS FOR APPLICATIONS FOR DEVELOPMENT APPROVAL

11.03.01. Platting Requirements.

A. ~~Generally.~~ Where a proposed Minor Site Plan, Major Site Plan, or Planned Development includes the subdivision of land, a condition of the Final Development Order shall be approval by the Board of County Commissioners of a plat conforming to the site plan and the provisions of this Section. The plat requirements of this Section require review and approval of construction plans, a preliminary record plat and a final record plat.

B. ~~Exceptions to Platting.~~ The only exceptions to this platting requirement are:

1. ~~If the application for a building permit is for the development of a single-family dwelling unit or duplex on a Lot of Record as of August 1, 1990; or,~~

2. ~~If the application for building permit is for the development on a multi-family or non-residential parcel which is less than five (5) acres in size on a Lot of Record as of August 1, 1990; or,~~

3. ~~Division of land into parcels of not less than 20 acres each where no new streets or easements of access are planned to be dedicated and accepted by the public. Deeds and other conveyances shall include in red, ten point type, the following statement: "NO GOVERNMENTAL AGENCY, INCLUDING ST. LUCIE COUNTY IS RESPONSIBLE FOR THE MAINTENANCE, UPKEEP OR IMPROVEMENT OF ANY PRIVATE DRIVES, ROADS, STREETS, EASEMENTS, OR RIGHTS-OF-WAY PROVIDING INGRESS AND EGRESS OR DRAINAGE SERVICE TO THE PROPERTY HEREIN CONVEYED."~~

4. ~~The conveyance of land to a federal, state, county, or municipal governmental agency, entity, political subdivision, or a public utility as defined herein.~~

C. ~~Dry Model Construction.~~ The Board of County Commissioners shall by agreement allow a building permit(s) for a maximum of four (4) residential units to be issued after approval of a Preliminary Record plat and construction plans but before approval of a Final Record Plat, provided no certificate of occupancy is issued prior to recordation of the Final Plat.

D. ~~Requirements for Geodetic Control.~~ A minimum of two boundary monuments for all plats shall be tied by a closed field traverse to the nearest approved St. Lucie County Geodetic Control Station and Azimuth Mark, or to other control points established by a Global Positioning System (GPS), or any St. Lucie County Traverse Stations, or any horizontal Control Stations which are listed with the National Geodetic Survey. Field traverse from the Plat Boundary to the control stations shall meet the minimum closure standards specified within Chapter 61G17-6, Florida Administrative Code. Copies of all field notes of the geodetic tie-in and traverse closure shall be submitted with all preliminary plat submittals.

E. ~~Requirements for Digital Plat Submissions.~~ Prior to the recording of any final plat consisting of 10 or more lots, a CAD file in a DWG or DXF format shall be provided to St. Lucie County showing all final plat survey data. The purpose of this CAD file is to facilitate direct updates to the County's Geographic Information System (GIS). The coordinate positions within this file should be rotated and translated to North American Datum of 1983/adjustment of 1990 (NAD 83/90), State Plane Coordinates, Florida East Zone. Conversion of ground distance to grid distance will not be required.

Proposed plats of less than 10 lots shall not be required to submit a digital copy of the final record plat, except that where available, the submission of this material is encouraged.

11.03.01 Zoning Amendments

1 A. Code Text Amendments and General Amendments to the Official Zoning Atlas

2
3 1. Purpose

4 The purpose of this section is to provide a means for amending the text of
5 this Code or making a general amendment to the Official Zoning Atlas.

6
7 2. Authority

8 The Board of County Commissioners may adopt an ordinance amending
9 the text of this Code or adopt a resolution making a general amendment to
10 the Official Zoning Atlas upon making a determination that the application
11 is in compliance with the provisions of this section.

12
13 3. Initiation

14
15 a. An amendment to the text of this Code may be proposed by the Board of County
16 Commissioners, the Planning and Zoning Commission, the Growth Management
17 Director or designee, the appropriate County Official or any landowner or citizen
18 of the unincorporated St. Lucie County.

19 b. A general amendment to the Official Zoning Atlas may be proposed by the Board
20 of County Commissioners, the Planning and Zoning Commission, the Growth
21 Management Director or designee, the appropriate County Official, or initiated
22 pursuant to Chapter 11, Authority to File Applications.

23
24 4. Procedures

25
26 a. Development Review Committee, Compliance Review and
27 Recommendation

28
29 The Development Review Committee shall review the application and determine
30 whether the proposed application complies with the requirements of this Code, is
31 consistent with the St. Lucie County Comprehensive Plan and St. Lucie County
32 Code of Ordinance. After the Development Review Committee completes
33 compliance review, the Chairman or designee shall notify the Growth

1 Management Director or designee that the application is certified to move
2 forward in the development review process with a recommendation of approval,
3 approval with conditions or denial. The Growth Management Director or designee
4 shall issue a report to the Planning and Zoning Commission (if so required) citing
5 the findings and recommendations of the Development Review Committee and
6 provide a recommendation of approval, approval with conditions or denial of the
7 application to the Planning and Zoning Commission.

8
9
10 b. Growth Management Director or Designee

11 The Growth Management Director or designee shall issue a report to the
12 Planning and Zoning Commission (if so required) and to the Board of County
13 Commissioners citing the recommendations of the Development Review
14 Committee and provide a recommendation of approval, approval with conditions
15 or denial.

16
17 c. Planning and Zoning Commission Recommendation

18 After submission of an application for a code text amendment or general
19 amendment to the Official Zoning Atlas, determination of its completeness, a
20 neighborhood meeting, preparation of the staff report, scheduling of the public
21 hearing, and publication of notice, the Planning and Zoning Commission shall
22 conduct a public hearing on the application pursuant to Chapter 11 *Other*
23 *Hearings*. At the public hearing, the Planning and Zoning Commission shall
24 consider the application, the relevant support materials, the staff report,
25 testimony, and other evidence given at the public hearing. After the close of the
26 public hearing, the Planning and Zoning Commission shall recommend to the
27 Board of County Commissioners either to adopt an ordinance or resolution
28 (whichever is appropriate) and provide a recommendation of approval, approval
29 with conditions or denial of the application, based on the standards in subsection
30 (5) below, *Standards*.

31 d. Board of County Commissioners Decision

32 After receipt of the recommendation from the Planning and Zoning Commission,
33 the scheduling of the public hearing(s), and public notification(s), the Board of
34 County Commissioners shall conduct the public hearing(s) on the application
35 pursuant to Chapter 11 *Other Hearings*. At the public hearing(s), the Board of
36 County Commissioners shall consider the application, the relevant support
37 materials, the staff report, the Planning and Zoning Commission
38 recommendation, public testimony, and other evidence given. At the conclusion
39 of the public hearing, the Board of County Commissioners shall approve,

1 approve with conditions or deny the amendment based on the standards in
2 subsection (5) below, *Standards*.

3 5. Standards

4
5 The advisability of amending the text of this Code or making a general
6 amendment to the Official Zoning Atlas is a matter committed to the legislative
7 discretion of the Board of County Commissioners and is not controlled by any
8 one (1) factor. In determining whether to approve, approve with conditions or
9 deny an application to the text of this Code or a general amendment to the
10 Official Zoning Atlas, the Board of County Commissioners shall consider the
11 following factors:

- 12
13 a. Whether and the extent to which the proposed amendment is consistent with the
14 St. Lucie County Comprehensive Plan and or the St. Lucie County Code of
15 Ordinance.
- 16 b. Whether and the extent to which the proposed amendment furthers the goals,
17 objectives and policies of the St. Lucie County Comprehensive Plan.
- 18 c. Whether and the extent to which the proposed amendment is in conflict with any
19 applicable provisions of this Code.
- 20 d. Whether and the extent to which there are changed conditions that require an
21 amendment.
- 22 e. Whether and the extent to which the proposed amendment addresses a
23 demonstrated community need.
- 24 f. Whether and the extent to which the proposed amendment is compatible with
25 existing and proposed uses surrounding the subject land, and is the appropriate
26 zone district for the land, or the proposed amendment to the text of this Code will
27 maintain or improve compatibility among uses and will ensure efficient
28 development within St. Lucie County.
- 29 g. Whether and the extent to which the proposed amendment would result in a
30 logical and orderly development pattern.
- 31 h. Whether and the extent to which the proposed amendment would result in
32 significant adverse impacts on the natural environment, including but not limited
33 to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and
34 the natural functioning of the environment.

- 1 i. Whether and the extent to which the proposed amendment would result in
2 development that is adequately served by public facilities (roads, potable water,
3 wastewater, solid waste, stormwater, schools, parks, police, fire and emergency
4 medical facilities).
- 5 j. Whether and the extent to which the proposed amendment would adversely
6 affect the property values in the area.
- 7 k. Whether the proposed amendment would be in conflict with the public interest,
8 and is in harmony with the purposes and intent of this Code.
- 9 l. Whether the proposed amendment is consistent with St. Lucie County Policy on
10 Sustainability, Smart Growth and Green Development.
- 11
- 12

13 **B. Site-Specific Amendments to the Official Zoning Atlas**

14 **1. Purpose**

15 The purpose of this Section is to provide a means for making site-specific
16 amendments to the Official Zoning Atlas.

17

18 **2. Authority**

19

20 The Board of County Commissioners may adopt a resolution making a
21 site-specific amendment to the Official Zoning Atlas upon compliance with
22 the provisions of this section.

23

24 **3. Initiation**

25

26 A site-specific amendment to the Official Zoning Atlas may be proposed
27 by the Board of County Commissioners, the Planning and Zoning
28 Commission, the Growth Management Director or designee, or initiated
29 pursuant to Chapter 11, *Authority to File Applications*.

30

1 4. Procedures

2 Applications for the Official Zoning Atlas Amendments shall be processed
3 in accordance to the common development review procedures as outlined
4 in Chapter 11 *Development Review Process*.

5 a. Pre-Application Conference and Neighborhood Meeting

6
7 Before filing an application, an applicant for a site-specific amendment to the Official
8 Zoning Atlas shall request and participate in a pre-application conference (except the
9 Board of County Commissioners, the Planning and Zoning Commission, or the Growth
10 Management Director or designee) on the proposed application (Chapter 11, *Pre-*
11 *Application Conference*), and then conduct a neighborhood meeting (Chapter 11,
12 *Neighborhood Meetings*).

13 b. Development Review Committee, Compliance Review and
14 Recommendations

15 The Development Review Committee shall review the application and
16 determine whether the proposed application complies with the requirements of
17 this Code, is consistent with the St. Lucie County Comprehensive Plan and or
18 the St. Lucie County Code of Ordinance. After the Development Review
19 Committee completes their compliance review, the Chairman or designee shall
20 notify the Growth Management Director or designee that the application is
21 certified to move forward in the development review process with a
22 recommendation of approval, approval with conditions or denial. The Growth
23 Management Director or designee shall issue a report to the Planning and
24 Zoning Commission citing the findings and recommendations of the
25 Development Review Committee and provide recommendations to the Planning
26 and Zoning Commission.

27
28
29 c. Growth Management Director or Designee

30 The Growth Management Director or designee shall issue a report to the
31 Planning and Zoning Commission (if so required) and to the Board of County
32 Commissioners citing the recommendations of the Development Review
33 Committee and provide a recommendation of approval, approval with conditions
34 or denial of the application.

1 d. Planning and Zoning Commission Recommendation

2 After a pre-application conference, neighborhood meeting, submission of an application
3 for a site-specific amendment to the Official Zoning Atlas, determination of its
4 completeness, a, preparation of the staff report, scheduling of the public hearing, and
5 publication of notice, the Planning and Zoning Commission shall conduct a public
6 hearing on the application pursuant to Chapter 11, *Quasi-Judicial Hearings*. At the
7 public hearing, the Planning and Zoning Commission shall consider the application; the
8 relevant support materials; the staff report; and any evidence and statements offered by
9 the applicant, County Staff, and the public on the application. After the close of the
10 public hearing, the Planning and Zoning Commission shall recommend to the Board of
11 County Commissioners a recommendation of approval, approval with conditions or
12 denial of the amendment based on the standards in subsection (5) below, *Site Specific*
13 *Amendment Standards*.

14
15 e. Board of County Commissioners Decision

16 After receipt of the recommendation on the site-specific amendment to the Official
17 Zoning Atlas from the Planning and Zoning Commission, the scheduling of the public
18 hearing(s) and public notification, any subsequent staff comments and
19 recommendations prepared as a result of new factual information obtained at or
20 following the Planning or Zoning Commission public hearing, the Board of County
21 Commissioners shall conduct the public hearing(s) on the application pursuant to
22 Chapter 11, *Quasi-Judicial Hearings*. At the public hearing(s), the Board of County
23 Commissioners shall consider the application, the relevant support materials, the staff
24 report, the Planning and Zoning Commission recommendation, and any evidence and
25 statements offered by the applicant, County Staff, adversely affected parties, and the
26 public on the application. After the close of the hearing, the Board of County
27 Commissioners shall adopt a resolution determining whether to approve, approve with
28 conditions or deny the site-specific amendment to the Official Zoning Atlas based on the
29 standards in subsection (5) below, *Site Specific Amendment Standards*.

30 5. Site Specific Amendment Standards

31
32 The advisability of making a site-specific amendment to the Official Zoning Atlas is a
33 matter subject to quasi-judicial review by the Board of County Commissioners and
34 constitutes the implementation of the general land use policies established in this Code
35 and the St. Lucie County Comprehensive Plan and or the St. Lucie County Code of
36 Ordinance. In determining whether to approve, approve with conditions or deny a
37 proposed site-specific amendment to the Official Zoning Atlas, the Board of County
38 Commissioners shall find:

a. The approval is based upon appropriate data and analysis and the applicant has provided competent substantial evidence that is made part of the record of the hearing that the application meets the *Standards of Review* (Chapter 11):

1. The proposed amendment would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

2. Whether and the extent to which the proposed amendment is consistent with the St. Lucie County Comprehensive Plan and or the St. Lucie County Code of Ordinance.

3. Whether and the extent to which the proposed amendment furthers the goals objectives and policies of the St. Lucie County Comprehensive Plan.

4. Whether and the extent to which the proposed amendment is in conflict with any applicable provisions of this Code and or the St. Lucie County Code of Ordinance.

5. Whether and the extent to which there are changed conditions that require an amendment.

6. Whether and the extent to which the proposed amendment addresses a demonstrated community need.

7. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land, or the proposed amendment to the text of this Code will maintain or improve compatibility among uses and will ensure efficient development within St. Lucie County.

8. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

9. Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

10. Whether and the extent to which the proposed amendment would result in development that is adequately served by public facilities (roads, potable water, wastewater, solid waste, stormwater, schools, parks, police, fire and emergency medical facilities).

1 11. Whether and the extent to which the proposed amendment would adversely affect
2 the property values in the area.

3 12. Whether the proposed amendment would be in conflict with the public interest, and
4 is in harmony with the purposes and intent of this Code.

5 13. The proposed amendment is consistent with County Policy on Sustainability, Smart
6 Growth and Green Development.

7
8 b. And there is no competent substantial evidence demonstrating that
9 changing the current zone district designation violates a legitimate
10 public purpose, as is defined by any one or a combination of the
11 standards set out below:

12 1. The proposed amendment will create premature development in undeveloped or
13 rural areas.

14 2. The proposed amendment will encourage urban sprawl, either by resulting in
15 strip or ribbon commercial development, leapfrog development, or low-density
16 single dimensional development, and otherwise meets the standards for classifying
17 a proposal as urban sprawl in the latest published edition of the Florida
18 Administrative Code.

19 3. The proposed amendment will result in development in a location where there
20 are no plans by St. Lucie County or other governmental entities to provide public
21 facilities to serve the development (roads, parks, schools, potable water,
22 wastewater, solid waste, stormwater, and fire/EMS facilities), and there are no
23 assurances by the private sector that public facilities are planned and will be
24 available to adequately accommodate development.

25 4. The proposed amendment will result in the creation of an isolated zone district
26 unrelated to adjacent and surrounding zone districts (spot zoning).

27 5. The uses permitted by the proposed amendment are incompatible with existing
28 land uses of adjacent lands and/or the uses permitted by the zone district
29 designations of adjacent lands.

30 6. The uses permitted by the proposed amendment will deviate from the logical
31 development pattern (both established and as proposed by surrounding zone
32 districts) of the area where the proposed amendment is located.

33 7. The proposed amendment will have a significant and adverse impact on the
34 natural environment, including but not limited to water, air, noise, storm water
35 management, wildlife, vegetation, wetlands, and the natural functioning of the
36 environment.

1 8. The proposed amendment will result in significant adverse impacts on the
2 property values of surrounding land uses.

3 9. The proposed amendment will adversely affect the character of the general area
4 where it is proposed to be located by creating excessive traffic, density and/or
5 intensities of use, building height and bulk, noise, lights, or other physical effects or
6 nuisances.

7 8 **C. PLANNED DEVELOPMENT DISTRICTS**

9 10 **1. PURPOSE**

11
12 This section establishes the procedures for review of St. Lucie County
13 Planned Development Districts.

14 **2. Applicability**

15
16 Before any development is classified in a Planned Development District, it
17 shall receive approval pursuant to the terms of this Section.

18 **3. Location**

19
20 A Planned Development Zoning District classification may be established
21 on any land located in St. Lucie County that complies with all of the
22 applicable requirements of this Section and the applicable standards of
23 Sections 7.01.00, *Planned Unit Development*, 7.02.00, *Planned Non-*
24 *Residential Development*, and 7.03.00, *Planned Mixed Use Development*,
25 *Section 3.01.03.EE, Planned Town or Village, Section 3.01.03.FF,*
26 *Planned Country Subdivision, and 3.01.03.GG Planned Retail/Workplace.*

27 **4. Unified Ownership or Control**

28
29 The title to all land that is part of a Planned Development Zoning District
30 classification shall be owned or controlled by one (1) person at the time of
31 application and approval. A person shall be considered to control all lands
32 either through ownership or by written consent of all owners. Consent

1 shall be obtained in the form required by the Growth Management
2 Director or designee, and which form shall require all signatures to be
3 notarized.

4 5. Procedures

6 a. Overview

7 Approval of a Planned Development District shall constitute a site-specific
8 amendment to the Official Zoning Atlas. It shall be controlled by a Master
9 Development Plan and Planned Development Agreement that is approved as
10 part of the Planned Development Zoning District classification. Subsequent to
11 approval of a Planned Development Zoning District classification, Master
12 Development Plan, and Planned Development Agreement, a Planned
13 Development is required to obtain Development Review approval (Chapter 11).
14 Approval of a Planned Development is not a final development order or
15 development permit that authorizes any land development activity. It creates
16 specific zoning requirements and a general plan of development with which
17 subsequent site plans, subdivisions, and construction shall be consistent. No
18 land clearing, tree removal, changes in grade, or other development activity is
19 permitted, by approval of a Planned Development and none shall be undertaken
20 on the site of a Planned Development until site plan and/or subdivision
21 construction plan approval and all required permits are obtained.

22 b. Pre-Application Conference Pre-Application Conference and
23 Neighborhood Meeting

24
25 Before filing an application, an applicant for a site-specific amendment to the Official
26 Zoning Atlas shall request and participate in a pre-application conference (except the
27 Board of County Commissioners, the Planning and Zoning Commission, or the Growth
28 Management Director or designee) on the proposed application (Chapter 11, Pre-
29 Application Conference), and then conduct a neighborhood meeting (Chapter 11,
30 Neighborhood Meetings).

31
32 c. Development Review Committee, Compliance Review and
33 Recommendation
34

35 The Development Review Committee shall review the application and determine
36 whether or not the proposed application complies with the requirements of this Code.
37 After the Development Review Committee completes its compliance review, the
38 Chairman or designee shall notify the Growth Management Director or designee that

1 the application is certified to move forward in the development review process with a
2 recommendation of approval, approval with conditions or denial. The Growth
3 Management Director or designee shall issue a report to the Planning and Zoning
4 Commission citing the findings and recommendations of the Development Review
5 Committee and provide a recommendation of approval, approval with conditions or
6 denial to the Planning and Zoning Commission.

7 d. Growth Management Director or Designee

8 The Growth Management Director or designee shall issue a report to the Planning &
9 Zoning Commission (if so required) and to the Board of County Commissioners citing
10 the recommendations of the Development Review Committee and provide a
11 recommendation of approval, approval with conditions or denial of the application.

12
13 e. Planning and Zoning Commission Recommendation

14 After a pre-application conference, neighborhood meeting, submission of an application
15 for a Planned Development Zoning District classification and Master Development Plan,
16 determination of its completeness, a preparation of the staff report, scheduling of the
17 public hearing, and publication of notice, the Planning and Zoning Commission shall
18 conduct a public hearing on the application pursuant to Chapter 11, *Quasi-Judicial*
19 *Hearings*. At the public hearing, the Planning and Zoning Commission shall consider the
20 application, the relevant support materials, the staff report and any evidence and
21 statements offered by the applicant, County Staff, and the public on the application.
22 After the close of the public hearing, the Planning and Zoning Commission shall
23 recommend to the Board of County Commissioners either to adopt a resolution
24 approving the Planned Development Zoning District and Master Plan with a
25 recommendation of approval, approval with conditions or denial of the amendment
26 based on the standards in subsection (6) below, *Planned Unit Development Standards*.

27
28 f. Board of County Commissioners Decision

29 After receipt of the recommendation on the Planned Development Zoning District
30 classification and Master Development Plan from the Planning and Zoning Commission,
31 the scheduling of the public hearing(s) and public notification, any subsequent staff
32 comments and recommendations prepared as a result of new factual information
33 obtained at or following the Planning or Zoning Commission public hearing, the Board
34 of County Commissioners shall conduct the public hearing(s) on the application
35 pursuant to Chapter 11, *Quasi-Judicial Hearings*. At the public hearing(s), the Board of
36 County Commissioners shall consider the application, the relevant support materials,
37 the staff report, the Planning and Zoning Commission recommendation, and any
38 evidence and statements offered by the applicant, County Staff, adversely affected
39 parties, and the public on the application. After the close of the hearing, the Board of
40 County Commissioners shall adopt a resolution determining whether to approve,

1 approve with conditions or deny the Planned Development Zoning District classification
2 and the Master Development Plan (6) below, *Site Specific Development Standards*.

3 6. Site Specific Development Standards

4 The advisability of making a Planned Development Zoning District
5 classification and the Master Development Plan is a matter subject to
6 quasi-judicial review by the Board of County Commissioners and
7 constitutes the implementation of the general land use policies established
8 in this Code and the St. Lucie County Comprehensive Plan. In
9 determining whether to approve, approve with conditions or deny a
10 Planned Development Zoning classification and the Master Development
11 Plan, the Board of County Commissioners shall find that the application
12 meets the *Standard of Review Chapter 11*.

13
14 7. Planned Development Standards and Requirements

15 A Planned Development Zoning District classification and Master
16 Development Plan shall comply with the applicable PD or Overlay District
17 as set forth in Chapters 3,4 and 7, standards Planned Unit Development,
18 Planned Non-Residential Development, Planned Town or Village, Planned
19 Country Subdivision, Planned Retail/Workplace, and Planned Mixed Use
20 Development, whichever is appropriate, as they may be amended from
21 time to time.

22
23 8. Conditions

24 The Planning and Zoning Commission shall have the authority to
25 recommend and the Board of County Commissioners shall have the
26 authority to impose conditions on a Planned Development Zoning District
27 classification and Master Development Plan that are necessary to
28 accomplish the purposes of this Section and this Code, and to ensure
29 compliance and consistency with the St. Lucie County Comprehensive
30 Plan and other applicable plans, polices, or laws as they may be
31 amended from time to time.

32 9. Planned Development Agreement

33
34 Concurrent with the approval of the adopting resolution for the Planned
35 Development Zoning District classification and the Master Development
36 Plan, a Planned Development Agreement shall be established binding the
37 Planned Development and Master Development Plan to any conditions

1 placed in the adopting resolution and Master Development Plan to any
2 conditions placed in the adopting resolution and Master Development
3 Plan. The Planned Development Agreement shall include, but not be
4 limited to:

5 a. The Master Development Plan, including any Planned
6 Development Standards and a list of permitted land uses, including
7 any land uses permitted as conditional uses.

8 b. Conditions related to the approval of the Master Development Plan.

9 c. Conditions related to the form and design of development in the
10 Planned Development.

11 d. Provisions addressing how transportation, potable water,
12 wastewater and stormwater management, park, fire/police/EMS,
13 school, and other public facilities will be provided to accommodate
14 the development proposed for the Master Development Plan in a
15 manner that meets the requirements of state law, the adopted St.
16 Lucie County Comprehensive Plan, and the Land Development
17 Code for demonstrated long and short-term financial feasibility and
18 concurrency management.

19 e. Provisions related to environmental protection and monitoring.

20 f. Any other provisions the Board of County Commissioners
21 determines are relevant and appropriate to the implementation of
22 the Planned Development and Master Development Plan.

23
24 10. Placement of Planned Development District Designation on the Official
25 Zoning Atlas

26 After final approval of the adopting resolution for the PD Zoning District
27 classification, the Master Development Plan, and Planned Development
28 Agreement, the Growth Management Director or designee shall cause the
29 Official Zoning Atlas to be amended to show a Planned Development
30 Zoning District classification on the site of the approved Planned
31 Development.

32 11. Recordation

33 The Growth Management Director or designee shall record the adopting
34 resolution, the Master Development Plan, and the approved Planned
35 Development Agreement in the Public Records of St. Lucie County within
36 thirty (30) days of the date of the adopting resolution. They shall be
37 binding upon the landowners, their successors, and assigns, and shall

1 constitute the development regulations for the land. Development of the
2 land shall be limited to the uses, density, configuration, and all other
3 elements and conditions set forth on the Master Development Plan and in
4 the Planned Development Agreement.

5 12. Expiration

6 a. General

7 The approval of the adopting resolution for a Planned Development
8 Zoning District classification, the Master Development Plan, and
9 Planned Development Agreement shall expire within two (2) years
10 after the date of approval unless a Site Plan (Chapter 11) is
11 submitted for at least the initial phase of the Master Development
12 Plan for a Master Development Plan that is approved as a phased
13 development, otherwise for the entire Master Development Plan
14 shall expire within two (2) years after the date of approval. Upon
15 expiration, the prior zoning district classification shall be re-
16 established in accordance with Chapter 11, *Zoning*.

17 Site plans for parts of a development approved with phasing shall
18 be submitted for whole phases, not parts thereof, and shall include
19 sufficient detail and provisions for construction beyond the phase
20 lines to ensure that each phase is compatible with the next,
21 particularly with regard to site elevations and site access. The
22 second and subsequent phases shall proceed in accordance with
23 the applicable Planned Development standards or as prescribed in
24 the Planned Development Agreement. Temporary access or
25 stormwater management systems at locations other than those
26 approved on the Master Development Plan, or contrary to
27 provisions of the Planned Development Resolution or Planned
28 Development Agreement, shall not be permitted. Plans for the
29 development of phases or lots shall provide for access and
30 stormwater management systems as approved by the Master
31 Development Plan, Planned Development Agreement, and Planned
32 Development Resolution. A Planned Development may not be
33 subdivided in a manner inconsistent with the approved Master
34 Development Plan without first receiving approval of a new Planned
35 Development that provides for unified development of the site.

36
37 b. One (1) Extension

38 Upon written application for a requested extension submitted at
39 least ninety (90) days prior to the date of expiration by the
40 applicant, and upon a showing of good cause, the Board of County

Commissioners may grant an extension not to exceed one (1) year. The application shall be on a form supplied by St. Lucie County. A complete statement justifying the reasons for the requested extension shall accompany extension applications. Failure to submit a completed application form for an extension within the time limits established by this Section shall result in expiration of the Planned Development Zoning District classification, the Master Development Plan, and the Planned Development Agreement. The prior zoning district classification shall there upon be re-established in accordance with Chapter 11, *Zoning*.

1. Review and Recommendation(s) by the Development Review Committee

Add something

2. Review and Decision of the Board of County Commissioners

Upon receipt of the Development Review Committee recommendations the Growth Management Director or designee shall prepare a staff report and schedule the application for a public hearing before the Board of County Commissioners pursuant to the standards set forth in Chapter 11.

The Board of County Commissioners consideration shall include but not be limited to the following:

- a. The effect of any delay in the proposed project construction, and completion has on public facilities monitored by the concurrency management system.
- b. The impacts of having any new and existing regulations applied to the project.
- c. Status of the conditions of approval.
- d. Fiscal sustainability of the developer.
- e. Code violations, pending foreclosure or bankruptcy litigation.

The Board of County Commissioners may attach conditions of approval that further the intent and purpose or satisfy the requirements of the St. Lucie County Comprehensive Plan Policies or Land Development Code Regulation.

13. Minor Adjustment(s) to Master Development Plan

Minor Adjustment(s) to a Master Development Plan shall be limited to technical considerations that could not reasonably be anticipated during the approval process or any other change that has no material effect on the character, permitted land use(s), or environmental protection standards of the approved Planned Development or any of the terms or conditions established in the Planned Development Agreement. The Minor Adjustment(s) to a Master Development Plan shall comply with the standards of this Code and shall be approved in writing. The Growth Management Director or designee may only approve Minor Adjustment(s) to a Master Plan that change numerical or dimensional standards by not more than five percent (5%), but the Growth Management Director or designee shall not permit Minor Adjustment to a Master Development Plan that create noncompliance with the standards of this Code, or that would not be consistent with the St. Lucie County Comprehensive Plan. If the Planned Development was approved with development standards that are less restrictive than the standards in the Land Development Code, the Growth Management Director or designee shall not approve Minor Adjustment(s) to a Master Development Plan that further relax those standards.

14. Site Plan and Subdivision Plat Review and Approval Required for Planned Developments

Prior to development of a site or portion of a site for which a Planned Development Master Development Plan has been approved, a site plan shall be reviewed pursuant to the procedures and standards of Chapter 11, *Development Review*. The site plan shall be in substantial conformance with the Master Development Plan and comply with the requirements of the Planned Development Agreement and Planned Development Resolution. All Planned Developments shall be required to be platted in accordance with the provisions of Chapter 11 in order to monument property and lot corners. Developers of all approved Planned Developments shall submit to the appropriate Director or designee as-built survey(s) of the location(s) of building(s) and structure(s) in relation to the subdivision property monument(s), and such other survey data as required by the appropriate Director or designee, to demonstrate compliance with the Land Development Code, the St. Lucie County Comprehensive Plan, all other County ordinances, and the requirements of the approved Planned Development.

15. Amendments

1 A Planned Development Zoning District classification, Master
2 Development Plan and Planned Development Agreement may be
3 amended, extended, or modified only in accordance with procedures and
4 standards for its original approval.

5
6 **D. CONDIIONAL USE PERMIT**

7 1. Purpose

8 The purpose of this Section is to provide for uses that are generally
9 compatible with the use characteristics of a zoning district, but that require
10 individual review of their location, design, intensity, configuration, and
11 public facility impact in order to determine the appropriateness of the use
12 on any particular site in the district and their compatibility with adjacent
13 uses. Conditional uses may require the imposition of additional conditions
14 to make the uses compatible in their specific context.

15
16 2. Authority

17 The Board of County Commissioners may, in accordance with the
18 procedures, standards, and limitations of this Code, grant Conditional Use
19 Permits for those uses enumerated in each of the zoning districts in
20 Section 3.01.00.

21
22 3. Procedures

23
24 a. Pre-Application Conference and Neighborhood Meeting

25 Before filing an application, an applicant for a Conditional Use Permit shall request and
26 participate in a pre-application conference (except the Board of County Commissioners,
27 the Planning and Zoning Commission, or the Growth Management Director or designee)
28 on the proposed application (Chapter 11, *Pre-Application Conference*), and then
29 conduct a neighborhood meeting (Chapter 11, *Neighborhood Meetings*).

1 b. Development Review Committee , Compliance Review and
2 Recommendations

3 The Development Review Committee shall review the application and determine
4 whether the proposed application complies with the requirements of this Code and is
5 consistent with the St. Lucie County Comprehensive Plan. After the Development
6 Review Committee completes their compliance review, the Chairman or designee shall
7 notify the Growth Management Director or designee that the application is certified to
8 move forward in the development review process with a recommendation of approval,
9 approval with conditions or denial. The Growth Management Director or designee shall
10 issue a report to the Planning and Zoning Commission citing the findings and
11 recommendations of the Development Review Committee and provide
12 recommendations to the Planning and Zoning Commission.

15 c. Growth Management Director or Designee

16 The Growth Management Director or designee shall issue a report to the Planning &
17 Zoning Commission (if so required) and to the Board of County Commissioners citing
18 the recommendations of the Development Review Committee and provide a
19 recommendation of approval, approval with conditions or denial of the application.

20 d. Planning and Zoning Commission Recommendation

21 After a pre-application conference, neighborhood meeting, submission of an application
22 for Conditional Use, determination of its completeness, a preparation of the staff report,
23 scheduling of the public hearing, and publication of notice, the Planning and Zoning
24 Commission shall conduct a public hearing on the application pursuant to Chapter 11,
25 Quasi-Judicial Hearings. At the public hearing, the Planning and Zoning Commission
26 shall consider the application, the relevant support materials, the staff report and any
27 evidence and statements offered by the applicant, County Staff, and the public on the
28 application. After the close of the public hearing, the Planning and Zoning Commission
29 shall recommend to the Board of County Commissioners either to adopt a resolution
30 approving the Planned Development Zoning District and Master Plan with a
31 recommendation of approval, approval with conditions or denial of the amendment
32 based on the standards in subsection (4) below, Conditional Use Permit Standards.

34 e. Board of County Commissioners Decision

35 After receipt of the recommendation on the Conditional Use from the Planning and
36 Zoning Commission, the scheduling of the public hearing(s) and public notification, any
37 subsequent staff comments and recommendations prepared as a result of new factual
38 information obtained at or following the Planning or Zoning Commission public hearing,
39 the Board of County Commissioners shall conduct the public hearing(s) on the
40 application pursuant to Chapter 11, Quasi-Judicial Hearings. At the public hearing(s),

1 the Board of County Commissioners shall consider the application, the relevant support
2 materials, the staff report, the Planning and Zoning Commission recommendation, and
3 any evidence and statements offered by the applicant, County Staff, adversely affected
4 parties, and the public on the application. After the close of the hearing, the Board of
5 County Commissioners shall adopt a resolution determining whether to approve,
6 approve with conditions or deny the Planned Development Zoning District classification
7 and the Master Development Plan (4) below, Conditional Use Permit Standards.

8 f. Protest

9 If a written protest is signed by the owners of fifty percent (50%) or more of the land
10 area within one thousand (1000) feet of the land proposed for a Conditional Use Permit,
11 approval of the Conditional Use Permit shall require the affirmative vote of four-fifths
12 (4/5) of the entire membership of the Board of County Commissioners. For the
13 purposes of the written protest, publicly owned right-of-way shall be included in
14 calculating the distance of one thousand (1000) feet from the land subject to the
15 proposed conditional use. County owned land and other right-of-way shall not be
16 included in determining the total of the area lying within one thousand (1000) feet of the
17 land subject to the conditional use. In determining whether fifty percent (50%) of the
18 owners have signed the petition, one (1) acre owned equals one (1) vote for a particular
19 property owner. P&Z wanted this reworded

20 4. Conditional Use Permit Standards

21 A Conditional Use Permit shall be approved or approved with conditions
22 only if the applicant demonstrates by competent substantial evidence the
23 following:

24 a. The proposed conditional use is in compliance with all
25 requirements, and is consistent with the general purpose,
26 goals, objectives, and standards of this Code, the St. Lucie
27 County Comprehensive Plan, and the Code of Ordinances of
28 St. Lucie County; and is in compliance with all additional
29 standards imposed on it by the particular provisions of this
30 Code authorizing such use.

31
32
33 b. The proposed conditional use will not have an undue
34 adverse effect upon surrounding lands.

35
36 c. The proposed conditional use is compatible with the existing
37 or planned character of the neighborhood in which it would be
38 located.

- 1 d. All reasonable steps have been taken to minimize any adverse
2 effect of the proposed conditional use on the immediate
3 vicinity through building design, site design, landscaping, and
4 screening.
- 5 e. The proposed conditional use will be constructed, arranged,
6 and operated so as not to interfere with the development and
7 use of neighboring property, in accordance with applicable
8 zoning district regulations.
- 9 f. The proposed conditional use is provided safe and adequate
10 ingress and egress to the public road system, and where
11 relevant and appropriate, adjacent lands.
- 12 g. The proposed conditional use will be served by adequate
13 public facilities and services, including roads, police protection,
14 fire protection, solid waste disposal, water, sewer, drainage
15 structures, parks, and mass transit.
- 16 h. The applicant has obtained from the St. Lucie County--Fort
17 Pierce Fire Prevention Bureau written confirmation, or has
18 otherwise demonstrated that water supply, evacuation
19 facilities, and emergency access are satisfactory to provide
20 adequate fire protection.
- 21 i. All federal or state permit approvals required for a proposed
22 conditional use have been issued by the appropriate
23 regulatory agency, or an intent to issue the permit by the
24 appropriate regulatory agency has been issued, or the
25 development order approval conditions approval on the receipt
26 of all relevant and appropriate state and federal permits for the
27 development prior to when development will occur on the
28 property.
- 29 j. All federal or state permit approvals required for a proposed
30 conditional use are issued, or intent to issue the required
31 regulatory permit is received.
- 32 k. If required to provide an environmental impact report as required
33 in the Land Development Code Manual, the proposed
34 conditional use will not contravene any applicable provision of
35 the St. Lucie County Comprehensive Plan, or this Code, as it
36 may be amended from time to time, or any other applicable
37 environmental standards or polices as may be adopted by St.
38 Lucie County from time to time.
- 39

1 5. Conditions of Approval

2 The Planning and Zoning Commission shall have the authority to
3 recommend and the Board of County Commissioners shall have the
4 authority to impose conditions on a Conditional Use Permit to prevent or
5 minimize adverse effects on other property in the neighborhood, including
6 but not limited to conditions to limit size, intensity of use, density of use,
7 bulk and location, landscaping, lighting, the provision of adequate ingress
8 and egress, duration of the permit, and hours of operation. Such
9 conditions shall be set forth expressly in the resolution granting the
10 Conditional Use Permit, consistent with the requirements of Chapter 11,
11 Conditions of Approval that are necessary to accomplish the purposes of
12 this Section and this Code, and to ensure compliance and consistency
13 with the St. Lucie County Comprehensive Plan and other applicable
14 plans, policies, or laws as they may be amended from time to time.

15 6. Effect of Issuance of Conditional Use Permit

16 The issuance of a Conditional Use Permit shall only constitute approval of
17 the proposed use, and development of the use shall not be carried out
18 until the applicant secures all other permits and approvals required by this
19 Code, the St. Lucie County Comprehensive Plan and all other appropriate
20 federal and state laws and regulations.

21 7. Inspections and Revocation

22 Following approval of a Conditional Use Permit, the Growth
23 Management Director or designee may inspect said use as deemed
24 necessary to guarantee compliance with the conditions of approval
25 as stated in the development order. A Conditional Use Permit that
26 fails to comply with any or all conditions of approval shall be
27 reported to the Growth Management Director or designee. The
28 report shall specify the manner in which the landowner is not
29 complying with one or more conditions of approval. The Growth
30 Management Director or designee may:

31 a. Request timely compliance with the conditions of approval;

32
33 b. Direct initiation of code enforcement proceedings; or

34
35 c. Initiate the legal action and procedures necessary to revoke the
36 conditional use. If the Board of County Commissioners initiates

1 procedures to revoke the conditional use, a public hearing on the report
2 shall be scheduled within a reasonable time, and notice of the time and
3 place of the hearing shall be furnished to the landowner. If the Board of
4 County Commissioners find that the facts alleged in the report are true,
5 and that the landowner has not taken the steps necessary to fully comply
6 with the conditions between the date of the report and the date of the
7 hearing, the Board of County Commissioners may authorize the
8 revocation of the conditional use. The Board of County Commissioners
9 may also authorize the Growth Management Director or designee to take
10 the necessary legal action to terminate the conditional use and all uses
11 authorized by that approval.
12

13 8. Expiration of Conditional Use Permit

14 A Conditional Use Permit shall be valid for the purposes of securing a
15 Certificate of Zoning Compliance, Building Permit, or other appropriate
16 development order for twelve (12) months from the date of approval.
17 Unless a Certificate of Zoning Compliance is approved within twelve (12)
18 months, and construction subsequently undertaken pursuant to a Building
19 Permit or other appropriate development order, the Conditional Use
20 Permit shall automatically expire unless the permit is extended by the
21 Board of County Commissioners pursuant to subsection (10) below,
22 Extension of Conditional Use Permit.

23 9. Abandonment of a Conditional Use Permit
24

25 A Conditional Use Permit shall be considered abandoned and the
26 approval shall expire if the authorized activity ceases operation for a
27 period of twelve (12) consecutive months or longer. (Refer to Disaster
28 Area provisions in Chapter 10).

29 10. Extension of Conditional Permit

30 The time limitations imposed on a Conditional Use Permit by subsection
31 (8) above, Expiration of Conditional Use Permit, may be extended by the
32 Board of County Commissioners not more than two (2) times, and for not
33 more than twelve (12) months, upon application by the applicant and after
34 a public hearing held in accordance with Chapter 11, Other Hearings.

35 The Conditional Use application shall be submitted at least ninety (90)
36 days prior to the date of expiration on a form supplied by the County.
37 Failure to submit a completed application form for an extension within the

1 time limits established by this Section shall result in expiration of the
2 Conditional Use Permit approval. All such applications shall be
3 accompanied by a complete justification statement of the reasons for the
4 request for the extension.

5
6 a. Development Review Committee ,Compliance Review and
7 Recommendations

8 The Development Review Committee shall review the application and determine
9 whether the proposed application complies with the requirements of this Code and is
10 consistent with the St. Lucie County Comprehensive Plan. After the Development
11 Review Committee completes their compliance review, the Chairman or designee shall
12 notify the Growth Management Director or designee that the application is certified to
13 move forward in the development review process with a recommendation of approval,
14 approval with conditions or denial. The Growth Management Director or designee shall
15 issue a report to the Board of County Commissioners citing the findings and
16 recommendations of the Development Review Committee and provide
17 recommendations to the Board of County Commissioners

18
19
20 b. Growth Management Director or Designee

21 The Growth Management Director or designee shall issue a report to the to the Board of
22 County Commissioners citing the recommendations of the Development Review
23 Committee and provide a recommendation of approval, approval with conditions or
24 denial of the application.

25 c. Review and Decision of the Board of County Commissioners

26 Upon receipt of the Development Review Committee recommendations the Growth
27 Management Director or designee shall prepare a staff report and schedule the
28 application for a public hearing before the Board of County Commissioners pursuant to
29 the standards set forth in Chapter 11.

30 The Board of County Commissioners consideration shall include, but not
31 be limited to the following:

32 1. The effect of any delay in proposed project construction and
33 completion has on public facilities monitored by the concurrency
34 management system.

35 2. The impacts of having any new and existing regulations applied
36 to the project

37 3. Status of conditions of approval.

1
2 4. Fiscal viability of the developer

3 5. Code violations, pending foreclosure or bankruptcy litigation shall
4 constitute reasons for denial.
5

6 The Board of County Commissioners may attach conditions to the
7 extension approval that further the intent and purpose or satisfy the
8 requirements of any comprehensive plan policy or land development code
9 regulation.
10

11 11. Minor Adjustments to Conditional Use Permit

12
13 A Minor Adjustment to a Conditional Use Permit may be allowed pursuant
14 to Chapter 7. Minor Adjustment to Major Site Plan or Conditional Use
15 Permit.
16

17 12. Amendments
18

19 A Conditional Use Permit may be amended, revoked, extended, or modified
20 only in accordance with the procedures and standards for its original
21 approval.
22
23

24 **E. Class A Mobile Home Permit**
25

26 1. General

27 Any person who wants to have a Class A Mobile Home be defined as a
28 detached single-family dwelling unit shall comply with the procedures and
29 standards of this Section.

30 2. Procedure
31

32 a. Review and Recommendation(s) by Public Works Director

1 Within thirty (30) days after submission of an application to have a Class A
2 Mobile Home defined as a detached single-family dwelling unit, and
3 determination of its completeness, the Public Works Director or designee shall
4 review the application and prepare a staff report recommending whether or not
5 the Class A Mobile Home should be defined as a single-family detached
6 dwelling based on the standards in subsection (3) below, Class A Mobile Home
7 Standards, schedule the public hearing on the application, publish notice, and
8 schedule the application for a public hearing on the agenda of the next regularly
9 scheduled meeting of the Board of County Commissioners.

10 b. Board of County Commissioners Decision

11 After receipt of the staff report, the scheduling of the public hearing, and public
12 notification, the Board of County Commissioners shall conduct a public hearing
13 on the application in accordance with Chapter 11, *Other Hearings*. At the public
14 hearing, the Board of County Commissioners shall consider the application, the
15 relevant support materials, the staff report, and any evidence and statements
16 offered by the applicant, County Staff, and the public, on the application. Within
17 a reasonable period of time after the conclusion of the public hearing, the Board
18 of County Commissioners shall adopt a resolution making a determination as to
19 whether the Class A Mobile Home meets the definition of a detached single
20 family dwelling unit, based on the standards in subsection (3) below, *Class A*
21 *Mobile Home Standards*.

22 3. Class A Mobile Home Standards

23 In determining whether a Class A Mobile Home meets the definition of
24 detached single-family dwelling unit, the Board of County Commissioners
25 shall consider the exterior dimensions, the exterior finish of the roof and
26 walls, and the skirting of the mobile home. Before a Class A Mobile Home
27 will be defined as a detached single-family dwelling unit, the Board of
28 County Commissioners must determine that:

29 a. Minimum Width of Main Body

30 The minimum horizontal dimension of the main body of the mobile
31 home as assembled on the site is not less than twenty (20) feet, as
32 measured across the narrowest portion, except that in the
33 Agricultural Residential (AR-1), Agricultural-1 (AG-1), Agricultural-
34 2.5 (AG-2.5), and Agricultural-5 (AG-5), zoning districts, no
35 minimum horizontal dimension shall apply.

36 b. Minimum Roof Pitch; Minimum Distance, Eaves to Ridge

37 The pitch of the main roof is not less than one (1) foot of rise for
38 each four (4) feet of horizontal run and the minimum distance from
39 eave to ridge is one half (1/2) the minimum horizontal dimension.

1 c. **Roofing Materials**

2 The roofing material used is similar in texture, color, and
3 appearance to that of detached single-family dwelling units in the
4 same zoning district in which it is to be located.

5 d. **Exterior Finish; Light Reflection**

6 The materials used for the exterior finish and skirting are similar in
7 texture, color, and materials to detached single family dwelling units
8 in the same zoning district in which it is to be located, and are
9 applied in such a manner as to make the Class A Mobile Home
10 similar in appearance with surrounding detached single family
11 dwelling units. Reflection from the exterior shall not be greater than
12 from siding coated with clear, white, gloss exterior enamel.

13 4. **Conditions**

14 The Board of County Commissioners shall attach such conditions,
15 limitations, or requirements to a Class A Mobile Home Permit as
16 necessary to carry out the standards of this section, consistent with
17 Chapter 11, *Conditions of Approval*.

18
19 **F. TEMPORARY USE PERMIT**

20 1. **Applicability**

21 No use that is classified as a temporary use in a zoning district in which it is to be
22 located shall be placed or established on land within that zoning district without first
23 receiving a temporary use permit pursuant to this Section.

24 2. **Procedure**

25 a. **Initial Submission of Application**

26
27 1. An application for a Temporary Use Permit shall be submitted to the
28 Public Works Director or designee on a form established by the Public
29 Works Director, along with an application fee. Each application for a
30 Temporary Use Permit shall contain the information required on the
31 application form, including written documentation that the applicant has
32 notified adjoining property owners and the Law Enforcement and Fire
33 Departments of the proposed temporary use or structure. In addition, the
34 application shall be accompanied by a sketch plan showing the

1 boundaries of the property, the use of adjacent properties, the location of
2 the temporary use or structure on the property, and other information
3 sufficient to show that the temporary use or structure complies with the
4 standards set forth in Section 8.02.00 of this Code, *Temporary Uses and*
5 *Structures*.

6
7 2. All applications for Temporary Use Permits shall be submitted at least two
8 (2) weeks prior to the date the temporary use will commence, or at least
9 four (4) weeks prior to the date the temporary use will commence if public
10 safety support is requested from St. Lucie County. The Public Works
11 Director or designee may waive this filing deadline requirement in an
12 individual case, for showing of good cause

13
14 b. Action by Public Works Director

15 After the application is determined complete, the Public Works
16 Director or designee shall review the application and approve,
17 approve with conditions, or deny the Temporary Use Permit based
18 on the standards in subsection (3) below, *Temporary Use Permit*
19 *Standards*.

20 3. Temporary Use Permit Standards

21
22 A Temporary Use Permit shall be approved upon finding the temporary
23 use, as proposed, complies with the relevant standards in Section 8.02.00,
24 *Temporary Uses and Structures*.

25 4. Conditions

26
27 In approving a Temporary Use Permit, the Director of Public Works or a
28 designee may impose appropriate conditions on the permit approval
29 pursuant to Section 11.01.14, *Conditions of Approval*.

30 5. Duration of Permit

31
32 A Temporary Use Permit shall be valid only for the time period stated on
33 the permit, unless otherwise authorized in this Code.

1
2 6. Amendment

3
4 A Temporary Use Permit may be amended, extended, or modified only in
5 accordance with the procedures and standards established for its original
6 approval.

7
8 **G. CERTIFICATE OF ZONING COMPLIANCE**

9
10 1. Applicability

11
12 A Certificate of Zoning Compliance shall be required in accordance with
13 the provisions of this Section prior to the issuance of any occupational
14 license or Building Permit.

15
16 2. Purpose

17
18 The purpose for issuing a Certificate of Zoning Compliance is to ensure all proposed
19 development within the unincorporated St. Lucie County complies with the provisions of
20 this Code and the St. Lucie County Comprehensive Plan.

21
22 3. Procedure

23
24 a. Initial Submission of Application

25
26 An application for a Certificate of Zoning Compliance shall be submitted to
27 the Public Works Director or designee in a form established by the Public
28 Works Director, along with an application fee.

1
2 a. Action by Public Works Director

3 After the application is determined complete, the Public Works Director or
4 designee shall review the application and approve, approve with conditions or
5 deny the Certificate of Zoning Compliance based on the standards in subsection
6 (4) below, Certificate of Zoning Compliance Standards. If the Public Works
7 Director or designee denies the application, the application shall be returned to
8 the applicant accompanied by a written statement setting forth the provisions of
9 this Code or the St. Lucie County Comprehensive Plan with which the application
10 does not comply.

11 4. Certificate of Zoning Compliance Standards

12
13 A Certificate of Zoning Compliance shall be approved upon finding the proposed
14 development complies with all relevant standards of this Code and the goals,
15 objectives, and policies of the St. Lucie County Comprehensive Plan.

16
17 5. Effect of Certificate of Zoning Compliance

18
19 A Certificate of Zoning Compliance constitutes an official statement that the
20 proposed development complies with the applicable provisions of this Code or
21 the St. Lucie County Comprehensive Plan and any special approvals that apply
22 to the land. A Certificate of Zoning Compliance does not serve as authorization
23 to commence construction. All authorizations to commence construction shall
24 be as described in this Code.

25
26 6. Duration

27
28 A Certificate of Zoning Compliance shall remain valid for eighteen (18) months
29 after the date of its approval.

30
31
32 **11.03.02. Review of Construction Plans and Preliminary Record Plate.**

1 ~~A. Filing With County Engineer. After receiving plat contingent site plan approval, the~~
2 ~~developer shall submit to the County Engineer all construction plans and preliminary record~~
3 ~~plats prepared in accordance with the requirements of F.S. Ch. 177, and all other information~~
4 ~~necessary to determine compliance with the approved site plan, the provisions of this Code and~~
5 ~~other applicable provisions of the St. Lucie County Code and Compiled Laws. Included with this~~
6 ~~submission material shall be all construction plans for any proposed utility improvements which~~
7 ~~shall be distributed by the County Engineer to the service provider for review.~~

8 ~~B. Application Contents. The County Engineer shall be responsible for the preparation of an~~
9 ~~application form for all construction drawings and record plat materials.~~

10 ~~All plans and materials submitted to the County Engineer in accordance with the~~
11 ~~requirements of this Section shall include but not be limited to the following:~~

12 ~~1. All plans shall be submitted on 24" x 36" sheet sizes.~~

13 ~~2. Construction plans shall be submitted in a format approved by the County Engineer.~~

14 ~~3. A preliminary plan of the final plat shall be submitted in the same format as required for final~~
15 ~~plats by F.S. Ch. 177.~~

16 ~~4. A survey of the subject property prepared by a registered surveyor containing the~~
17 ~~information as described in Section 11.02.09(A)(2) of this Code.~~

18 ~~5. Site Data and Construction Details:~~

19 ~~a. Street rights-of-way, pavement widths, grades and elevations, street names, plans, profiles~~
20 ~~and cross-sections.~~

21 ~~b. Other rights-of-way or easements including locations, dimensions and purposes.~~

22 ~~c. Plans for all underground utilities including but not limited to sanitary sewers; storm sewers;~~
23 ~~water lines; and electric lines, if located underground; showing connections to existing systems,~~
24 ~~or proposals for developing new water supply; storm drainage; and sewage disposal systems;~~
25 ~~storm and sanitary profiles and, including all cross-sections; and inverts and top elevations of all~~
26 ~~structures.~~

27 ~~d. Contour changes, dikes or any created water bodies or changed water courses.~~

28 ~~e. Bulkheads and bridges; engineering plans, and cross-sections.~~

29 ~~f. Street center line dimensions, scalar block and lot layouts, lot and block numbers.~~

30 ~~g. Areas to be used for purposes other than residential and public; and with the purposes,~~
31 ~~location and dimensions of each indicated.~~

32 ~~h. Any other information deemed necessary by the County Engineer or the service provider for~~
33 ~~the reasonable review of the proposed development.~~

34 ~~6. All property owner/homeowner association documentation outlining and describing the~~
35 ~~responsibilities/liabilities of property purchasers within the proposed subdivision.~~

36 ~~C. Procedures for Review by the County Engineer:~~

37 ~~1. Within twenty (20) working days of receipt of the all construction plans and preliminary~~
38 ~~record plats, the County Engineer shall:~~

39 ~~a. Determine that the application is complete and so notify the applicant.~~

40 ~~b. Determine that the application is incomplete and inform the applicant in writing of the~~
41 ~~missing components.~~

42 ~~The applicant shall notify the County Engineer, within thirty (30) working days of this notice of~~
43 ~~deficiency, of his/her intent to address the cited deficiencies. The developer shall have a~~
44 ~~maximum of one hundred twenty (120) days to respond to the cited deficiencies without~~
45 ~~payment of any additional processing fee. Upon the applicant's response to the cited~~
46 ~~deficiencies the revised application shall be reviewed by the County Engineer pursuant to this~~
47 ~~Section. If the applicant fails to respond to the cited deficiencies within one hundred twenty~~
48 ~~(120) days the developer must thereafter reinitiate the review process and pay an additional fee,~~
49 ~~as identified in Section 11.12.00 of this Code.~~

50 ~~An application shall be determined to be complete only if the required submittals of Section~~
51 ~~11.03.02(B) are provided.~~

2. ~~The County Engineer shall coordinate any utility construction plan reviews with the service provider and shall not authorize any construction approvals for any portion of the project site until all utility and construction plans have been approved.~~

3. ~~The County Engineer shall, within five (5) working days following determination of compliance, issue a written determination approving the construction plans and Preliminary Record Plat and authorizing the developer to commence construction in accordance with approved construction plans.~~

4. ~~The County Engineer shall notify the Board of County Commissioners of the approval of the construction plans and the issuance of construction authorizations.~~

11.03.02 Development Review

A. PURPOSE AND INTENT

The purpose of Development Review is to ensure compliance with all development standards of this Code, with the conditions of approval of Preliminary Development Orders and Development Orders, and with Development Agreements approved by St. Lucie County; and to encourage quality development in St. Lucie County reflective of the goals, policies, and objectives of the St. Lucie County Comprehensive Plan. For land uses requiring Development Review, Development Permits and other approvals may be issued and development initiated only after a site plan is approved pursuant to the procedures and standards of this Section. It is the intent of the Development Review procedures to create and support an orderly process that leads to compliance of development with all applicable laws, codes, ordinances, resolutions, agreements, and policies of St. Lucie County. No St. Lucie County Final Development Permit, Final Development Order, or Certificate of Capacity may be issued until after constructible site engineering plans are approved and a final development order is issued at the conclusion of the Development Review process. No land development activity other than minimum activity necessary to complete survey and engineering design work shall be permitted on any site until the final site plan development order has been issued and all other necessary permits and approvals are obtained.

B. APPLICABILITY: TYPES OF SITE PLAN REVIEW

Development plans required to obtain approval through the Development Review procedures shall be classified as either Minor Site Plans or Major Site Plans pursuant to the following standards.

1. Minor Site Plan

Proposed development is subject to review as a Minor Site Plan if it constitutes:

- 1 a. The division of land into less than ten (10) parcels but more than
2 two (2) parcels in accordance with the provisions of Chapter 11,
3 Plats (Subdivision).
- 4 b. Multi-family development of less than twenty (20) units.
- 5 c. Nonresidential development that is four thousand (4000) to
6 twenty-four thousand nine hundred ninety-nine (24,999) square
7 feet in gross floor area, including any additions to existing
8 development less than twenty-four thousand nine hundred ninety-
9 nine (24,999) square feet in gross floor area that add drive-
10 through, food delivery, take-out food, or walk-up services,
11 including modifications to existing nonresidential developments to
12 add drive-through, walk-up convenience stores, food delivery, or
13 take-out food services.
- 14
- 15 d. Nonresidential development less than four thousand (4000)
16 square feet in gross floor area that provides drive-through, food
17 delivery, take-out food, or walk-up services, including
18 modifications to existing nonresidential developments to add
19 drive-through, walk-up convenience stores, food delivery, or take-
20 out food services.
- 21 e. Nonresidential development less than four thousand (4000)
22 square feet in gross floor area that provides for the retail sales of
23 motor or heating fuels.
- 24 f. Commercial lodging development of less than six (6) units.
- 25 g. Additions to existing structures that are large enough to cause the
26 existing structure plus the addition to equal or exceed the
27 threshold review standards in subsections (a) through (f) above.
28 Any addition to any existing nonconforming building or structure,
29 or to any building or structure housing a nonconforming land use,
30 that meets the threshold size limits of subsections (a) through(f)
31 above, or any site alteration to any nonconforming site that has on
32 it a building meeting the threshold size limits of subsections (a)
33 through (f) above. Any addition to any building or structure that
34 has nonconforming parking. Any change to the parking facility,
35 landscaping, environmental protection measures, or landscaping
36 on any site housing a building or proposed building, including
37 building plus addition, that meets the review threshold criteria of
38 subsection (a) through (f) above.
- 39 h. The development of more than four hundred (400) square feet of
40 impervious surface area, but less than fifteen (15%) percent of the

1 site area, up to twenty-four thousand nine hundred ninety-nine
2 (24,999) square feet of impervious surface area, on any parcel of
3 land except for structures associated with bona fide agricultural
4 land uses on land zoned for agricultural use, and on land containing
5 a lawful, nonconforming agricultural use.

- 6 i. Any outdoor land use proposed on any parcel of land of between
7 one-half (½) acre and five (5) acres, except for bona fide
8 agricultural land uses located on land zoned for agricultural use, or
9 on land containing a lawful, nonconforming agricultural use.

10
11 2. Minor Adjustment to Minor Site Plans

12 The Growth Management Director or designee may authorize minor adjustments to an
13 approved Minor Site Plan. Such minor adjustments shall be consistent with the intent
14 and purpose of this Code, St. Lucie County Comprehensive Plan and St. Lucie County
15 Code of Ordinances. The development as approved shall be the minimum necessary to
16 overcome the particular difficulty. Such minor adjustments shall be limited to the
17 following:

- 18
19 a. Increasing any dimension of any one (1) structure by not more than
20 twenty-five (25%) percent; or
21 b. Altering the location of any one (1) primary structure or group of
22 primary structures by not more than fifty (50) feet; or
23 c. Altering the net density of any one stage or phase by not more than
24 ten (10%) percent; as long as the approved density of the project
25 does not increase; or
26 d. Altering the location of any circulation element by not more than
27 fifty (50) feet. The relocation of any circulation element by more
28 than fifty (50) feet will be considered a major adjustment unless the
29 relocation results in a reduction of impervious surface area; or
30 e. Altering the location of any open space by not more than fifty (50)
31 feet; or
32 f. Reducing the total amount of open space by not more than five
33 percent or reducing the yard area or open space associated with
34 any single structure by not more than five (55) percent; or
35 g. Altering the location, type, or quality of landscaping elements; or

- 1 h. The addition or relocation of any accessory structure or use so long
2 as the proposed addition or relocation does not conflict with any
3 portion of any required open space, building separation
4 requirements or other provisions of this Code, St. Lucie County
5 Comprehensive Plan and St. Lucie County Code of Ordinances.

6
7 3. Major Adjustment To Minor Site Plans Or Conditional Use Permits

8 Any other adjustment, including cumulative effects of separate Minor adjustment made
9 since July 1, 1984, to an approved minor site plan shall require approval by the Growth
10 Management Director or designee of a new Minor Site Plan subject to the provisions of
11 this code.

12 1. EXPIRATION OF SITE PLAN

13 a. General

14
15 Except as provided in this subsection, a Minor Site Plan or a Major Site
16 Plan shall be valid for purposes of securing a Certificate of Zoning
17 Compliance and Building Permit for twenty-four (24) months from the date
18 of approval. Unless a Certificate of Zoning Compliance and Building
19 Permit are approved within twenty-four (24) months, the site plan shall
20 automatically expire unless the site plan is extended pursuant to
21 subsection (3), below.

22 b. Certificate of Capacity Limitations

23
24 A Minor Site Plan or a Major Site Plan may be approved subject to the
25 condition that approval shall expire in less than twenty-four (24) months, if
26 it is demonstrated the Certificate of Capacity issued for the site plan
27 guarantees the necessary public services to serve the development for
28 less than twenty-four (24) months. In those instances, the site plan
29 approval shall expire unless a Certificate of Zoning Compliance and
30 Building Permit is approved for the site plan within the period of time the
31 service provider guarantees the necessary public services will be available
32 for the development proposed on the site plan.

33 c.. Extensions

34 Add something

35 4. Minor Site Plan Extensions

1
2 For good cause, the Growth management Director or designee may extend the Site
3 Plan up to twelve (12) months from the date of expiration set forth in the Final
4 Development Order approving the Minor Site Plan. No more than one (1) extension
5 shall be granted. The request for an extension shall be made to the Director by the
6 applicant, in writing, at least ninety (90) days prior to the date of expiration. The
7 application shall be submitted on an application form supplied by the County. Failure to
8 submit a completed application form within the time limits established by this Section
9 shall result in expiration of the site plan. All such applications shall be accompanied by a
10 complete justification statement of the reasons for the request for the extension.
11

12 a. Development Review Committee ,Compliance Review and
13 Recommendations

14 The Development Review Committee shall review the application and determine
15 whether the proposed application complies with the requirements of this Code
16 and is consistent with the St. Lucie County Comprehensive Plan. After the
17 Development Review Committee completes their compliance review, the
18 Chairman or designee shall notify the Growth Management Director or designee
19 that the application is certified to move forward in the development review
20 process with a recommendation of approval, approval with conditions or denial.
21 The Growth Management Director or designee shall issue a report to the Board
22 of County Commissioners citing the findings and recommendations of the
23 Development Review Committee and provide 4. Fiscal sustainability of the
24 developer.

25
26 b. Growth Management Director or Designee

27 Upon receipt of the Development Review Committee recommendations the Growth
28 Management Director or designee shall review the application and staff report, and
29 approve, approve with condition or deny the application. The Growth Management
30 Director or designee consideration shall include, but is not limited to the following:

- 31 1. The effect of any delay in proposed project construction and
32 completion has on public facilities monitored by the concurrency
33 management system.
34
35

1 1. The impacts of having any new and existing regulations applied to the
2 project.

3
4 2. Status of the Conditions of Approval.

5
6 3. Fiscal sustainability of the developer

7
8 4. Code violations, pending foreclosure, or bankruptcy litigation shall
9 constitute reasons for denial.

10
11
12 4. Major Site Plan

13 Proposed development is subject to review as a Major Site Plan if it constitutes:

14
15 a. The division of land into ten (10) or more parcels, in accordance with the
16 provisions of Chapter 11 Plats (Subdivision).

17 b. Multi-family development of twenty (20) or more dwelling units.

18 c. Nonresidential development of twenty-five thousand (25,000) or more
19 square feet in area.

20 d. Commercial lodging development of six (6) or more units.

21 e. Additions to existing structures that are large enough to cause the existing
22 structure plus the addition to equal or exceed the threshold review
23 standards in subsections (a) through (d) above. Any addition to any existing
24 nonconforming building or structure, or to any building or structure housing
25 a nonconforming land use, that meets the threshold size limits of
26 subsections (a) through (d) above, or any site alteration to any
27 nonconforming site which has on it a building meeting the threshold size
28 limits of subsections (a) through (d) above. Any addition to any building or
29 structure that has nonconforming parking. Any change to the parking facility,
30 landscaping, environmental protection measures, or landscaping on any site
31 housing a building or proposed building, including building plus addition, that
32 meets the review threshold criteria of subsections (a) through (d) above.

1 f. The development of more than twenty-four thousand nine hundred ninety-
2 nine (24,999) square feet of impervious surface area, or more than fifteen
3 percent (15%) of the site area, whichever is less, on any parcel of land
4 except for structures associated with bona fide agricultural land uses on
5 land zoned for agricultural use, and on land containing a lawful,
6 nonconforming agricultural use.

7 g. Any outdoor land use proposed on any parcel of land more than five (5)
8 acres, except for bona fide agricultural land uses located on land zoned for
9 agricultural use, or on land containing a lawful, nonconforming agricultural
10 use.

11 h. Development of land:

12 1. Where a portion of a parcel under unified control is subject to
13 Development Review and:

14 a. At least one (1) acre of the parcel will remain vacant and
15 undeveloped after approval of the Site Plan and,

16 b. The zoning district designation of the remaining vacant land
17 allows development at a density or intensity that, when
18 considered in conjunction with the other lands subject to the
19 site plan, would require approval as a Major Site Plan; or

20
21 2. Where the location, scale and character (in relation to surrounding
22 land uses), environmental, public safety, or public facility impact of
23 the proposed development could potentially cause adverse
24 impacts.

25
26
27 5. Minor Adjustment to Major Site Plans or Conditional use permits

28 The Growth Management Director or designee may authorize minor adjustments to an
29 approved Major Site Plan. Such minor adjustments shall be consistent with the intent
30 and purpose of the St. Lucie County Comprehensive Plan, the standards and
31 requirements of this Code, and the development as approved, and shall be the
32 minimum necessary to overcome the particular difficulty. Notice of the authorization of
33 such minor adjustments shall be provided to the Board of County Commissioners and
34 the Planning and Zoning Commission. Such minor adjustments shall be limited to the
35 following:

- a. Increasing any dimension of any one (1) structure by not more than twenty-five percent (25%); or,
- b. Altering the location of any one (1) structure or group of structures by not more than fifty (50) feet; or,
- c. Altering the net density of any one stage or phase by not more than ten percent (10%); or,
- d. Altering the location of any circulation element by not more than fifty (50) feet. Relocation of any circulation element by more than fifty (50) feet will be considered a major adjustment unless the relocation results in a reduction in impervious surface area; or,
- e. Altering the location of any open space by not more than fifty (50) feet; or,
- f. Reducing the total amount of open space by not more than five percent (5%) or reducing the yard area or open space associated with any single structure by not more than five percent (5%); or,
- g. Altering the location, type, or quality of landscaping elements.
- h. The addition or relocation of any accessory structure or use so long as the proposed addition or relocation does not conflict with any portion of any required open space, building separation requirements or other provisions of this Code.

6. Major Adjustment to Major Site Plans

Any other adjustment to the approved site plan shall be considered a major adjustment and shall be granted only upon application to and approval by the Board of County Commissioners. The review and processing procedures for the major adjustment shall be consistent with this code.

7. Major Site Plan Extensions

The period of expiration for a Major Site Plan may be extended by the Board of County Commissioners, for good cause shown, for up to twenty-four (24) months from the date of expiration set forth in the Final Development Order approving the Major Site Plan. No more than one (1) extension shall be granted. The request for an extension shall be made to the Director by the applicant, in writing, at least ninety (90) days prior to the date of expiration. The application shall be submitted on an application form supplied by the County. Failure to submit a completed application form within the time limits established by this Section shall result in expiration of the site plan. All such applications

1 shall be accompanied by a complete statement of the reasons justification for the
2 request for the extension.

3 a. Development Review Committee ,Compliance Review and
4 Recommendations

5 The Development Review Committee shall review the application and determine
6 whether the proposed application complies with the requirements of this Code and is
7 consistent with the St. Lucie County Comprehensive Plan. After the Development
8 Review Committee completes their compliance review, the Chairman or designee shall
9 notify the Growth Management Director or designee that the application is certified to
10 move forward in the development review process with a recommendation of approval,
11 approval with conditions or denial. The Growth Management Director or designee shall
12 issue a report to the Board of County Commissioners citing the findings and
13 recommendations of the Development Review Committee and provide
14 recommendations to the Board of County Commissioners

15
16
17 b. Growth Management Director or Designee

18 The Growth Management Director or designee shall issue a report to the to the Board of
19 County Commissioners citing the recommendations of the Development Review
20 Committee and provide a recommendation of approval, approval with conditions or
21 denial of the application.

22 c. Review and Decision of the Board of County Commissioners

23 Upon receipt of the Development Review Committee recommendations the Growth
24 Management Director or designee shall prepare a staff report and schedule the
25 application for a public hearing before the Board of County Commissioners pursuant to
26 the standards set forth in Chapter 11.

27 The Board of County Commissioners consideration shall include, but not
28 be limited to the following:

29 1. The effect of any delay in proposed project construction and
30 completion has on public facilities monitored by the concurrency
31 management system.

32 2. The impacts of having any new and existing regulations applied
33 to the project

34 3. Status of conditions of approval.

35
36 4. Fiscal viability of the developer

1 5. Code violations, pending foreclosure or bankruptcy litigation shall
2 constitute reasons for denial.
3

4 The Board of County Commissioners may attach conditions to the
5 extension approval that further the intent and purpose or satisfy the
6 requirements of any comprehensive plan policy or land development code
7 regulation.
8
9
10

11 8. Procedures for Development Review

12 A. Minor Site Plan Review
13

14 1. Pre-Application Conference

15 Before filing an application for Minor Site Plan, the applicant shall request and
16 attend a pre-application conference on the proposed application, Chapter 11(Pre-
17 Application Conference).

18 2. Review and Recommendation by Development Review Committee

19 After submission of an application for Minor Site Plan Review and determination of its
20 completeness, the Director shall forward the application to the Development Review
21 Committee for review. The Development Review Committee shall review the
22 application and, based on the standards in subsection (9) below, Development
23 Review Standards:

24 a. Recommend the Growth Management Director or designee approve,
25 approve with condition or deny the Minor Site Plan; or provide the
26 applicant and Growth Management Director or designee a Notice of
27 Deficiency, in writing, that the application fails to comply with the review
28 standards. The Notice of Deficiency shall also identify the deficiencies in
29 the application. The applicant shall have an opportunity to re-submit a
30 revised application by notifying the Growth Management Director or
31 designee within thirty (30) working days of the date the Notice of
32 Deficiency is issued of intent to address the deficiencies. The applicant
33 shall have ninety (90) working days to re-submit the application. Upon the
34 applicant's re-submission of a revised application, it shall be re-reviewed
35 by the Development Review Committee pursuant to this subsection and
36 recommended for approval, approval with conditions, or denial based on

1 the standards in subsection (9) below, *Development Review Standards*.
2 The application shall be considered withdrawn if the applicant either fails
3 to file a notification of intent to address deficiencies or fails to re-submit
4 the application within the timeframes and in accordance with the
5 procedures required by this subsection.

6 b.. Decision by Growth Management Director or designee

7 Within ten (10) working days of receipt of the Development Review Committee
8 recommendation, the Growth Management Director or designee shall review
9 the application and the Development Review Committee recommendation and
10 approve, approve with conditions, deny the application or request additional
11 information based on the standards of subsection (9) below, *Development*
12 *Review Standards*.

13
14 B. Major Site Plan

15 1. Pre-Application Conference and Neighborhood Meeting

16 Before filing an application for Major Site Plan, the applicant shall
17 request and attend a pre-application conference on the proposed
18 application, (Chapter 11, *Pre-Application Conference*) and conduct
19 a neighborhood meeting (Chapter 11, *Neighborhood Meetings*).

20 2. Review and Recommendation by Development Review Committee

21 After submission of an application for Major Site Plan Review and
22 determination of its completeness, the Director shall forward the
23 application to the DRC, who shall review the application within forty- five
24 (45) working days based on the standards in subsection (9) below,
25 *Development Review Standards*, and:

26 a. Recommend the Growth Management Director or designee approve,
27 approve with condition or deny the Major Site Plan; or provide the
28 applicant and Growth Management Director or designee a Notice of
29 Deficiency, in writing, that the application fails to comply with the
30 review standards. The Notice of Deficiency shall also identify the
31 deficiencies in the application. The applicant shall have an opportunity
32 to re-submit a revised application by notifying the Growth
33 Management Director or designee within thirty (30) working days of
34 the date the Notice of Deficiency is issued of intent to address the
35 deficiencies. The applicant shall have ninety (90) working days to re-
36 submit the application. Upon the applicant's re-submission of a
37 revised application, it shall be re-reviewed by the Development
38 Review Committee pursuant to this subsection and recommended
39 for approval, approval with conditions, or denial based on the

standards in subsection (9) below, Development Review Standards.
The application shall be considered withdrawn if the applicant either
fails to file a notification of intent to address deficiencies or fails to re-
submit the application within the timeframes and in accordance with
the procedures required by this subsection.

b.. Decision by Growth Management Director or designee

Within ten (10) working days of receipt of the Development Review Committee
recommendation, the Growth Management Director or designee shall review
the application and the Development Review Committee recommendation and
approve, approve with conditions, deny the application or request additional
information based on the standards of subsection (9) below, Development
Review Standards.

c. Planning and Zoning Commission Recommendation

After a pre-application conference, neighborhood meeting, submission of an
application for Major Site Plan, determination of its completeness, a preparation
of the staff report, scheduling of the public hearing, and publication of notice,
the Planning and Zoning Commission shall conduct a public hearing on the
application pursuant to Chapter 11. At the public hearing, the Planning and
Zoning Commission shall consider the application, the relevant support
materials, the staff report and any evidence and statements offered by the
applicant, County Staff, and the public on the application. After the close of the
public hearing, the Planning and Zoning Commission shall recommend to the
Board of County Commissioners either to adopt a resolution approving the
Major Site Plan with a recommendation of approval, approval with conditions
or denial of the Major Site Plan based on the standards in subsection (9) below,
Development Review Standards.

d. Board of County Commissioners Decision

After receipt of the recommendation on the Major Site Plan from the Planning
and Zoning Commission, the scheduling of the public hearing and public
notification, any subsequent staff comments and recommendations prepared as
a result of new factual information obtained at or following the Planning or
Zoning Commission public hearing, the Board of County Commissioners shall
conduct the public hearing on the application pursuant to Chapter 11. At the
public hearing the Board of County Commissioners shall consider the
application, the relevant support materials, the staff report, the Planning and
Zoning Commission recommendation, and any evidence and statements

1 offered by the applicant, County Staff, adversely affected parties, and the public
2 on the application. After the close of the hearing, the Board of County
3 Commissioners shall adopt a resolution determining whether to approve,
4 approve with conditions or deny the Major Site Plan based on the standards in
5 subsection (9) below, *Development Review Standards*.

6
7 9. Development Review Standards

8 A Major Site Plan or Minor Site Plan shall be approved only if the applicant
9 demonstrates the proposed site plan complies with all of the following standards:

10 1. Consistency with Comprehensive Plan

11
12 The development proposed in the site plan is consistent with the goals,
13 objectives, and policies of the St. Lucie County Comprehensive Plan.

14
15 2. Complies with this Code and other Relevant Local Ordinances and
16 Resolutions

17 The development proposed in the site plan complies with all relevant
18 requirements and standards of this Code, and all other relevant and appropriate
19 provisions of the Compiled Laws of St. Lucie County.

20
21 3. Effect on Surrounding Lands

22
23 a. The development proposed in the site plan will not have an undue
24 adverse effect upon surrounding lands, the character of the
25 neighborhood in which the development is proposed to be located,
26 traffic conditions, parking, utility facilities, and other matters
27 affecting the public health, safety, and general welfare.

28 b. All reasonable steps have been taken to minimize any adverse
29 effect of the development proposed in the site plan upon
30 surrounding lands through building design, site design,
31 landscaping, and screening.

32 c. The development proposed in the site plan will be constructed,
33 arranged, and operated so as not to interfere with the development

1 and use of neighboring land, in accordance with standards of
2 applicable zoning district regulations.

3 4. Water and Sewer Dry Line Improvements

4 If the development proposed in the site plan is within a water or sewer utility's five
5 (5)-year service area, provisions are made to ensure adequate dry water and
6 sewer lines are provided to serve the development pursuant to the standards and
7 specifications of the County and the applicable service provider.

8
9 5. Connected to Regional Utility Systems

10 Assurances are provided that the development proposed in the site plan will
11 connect to a regional potable water distribution and/or wastewater collection
12 system when the system becomes available to service the development.

13 6. Safe and Adequate Ingress and Egress

14 The development proposed in the site plan is provided safe and adequate
15 ingress and egress to the public road system, and where appropriate and
16 relevant, adjacent lands.

17
18 7. Adequacy of Fire Protection

19 The applicant has obtained from the St. Lucie County - Fort Pierce Bureau of Fire
20 Prevention written confirmation, or has otherwise demonstrated by competent
21 substantial evidence; water supply, evacuation facilities, and emergency access
22 are satisfactory to provide adequate fire protection.

23
24 8. Adequacy of Public Facilities

25 The development proposed in the site plan complies with the standards of
26 Chapter V, Adequate Public Facilities.

27
28 9. Adequacy of School Facilities

1 The development proposed in the site plan will be served by adequate school
2 facilities.

3
4 10. Vegetation Preservation and Protection Plan

5 A preliminary vegetation protection and preservation plan is included as part of
6 the site plan that is in substantial conformity with the standards of Section
7 6.00.00, *Vegetation Protection and Preservation*. Approval of a preliminary
8 vegetation protection and preservation plan as part of a site plan does not
9 authorize commencement of any vegetation removal or alteration. Prior to the
10 commencement of any vegetation removal or alteration activities, a Vegetation
11 Removal Permit shall be approved pursuant to Chapter 11 *Vegetation Removal*
12 *Permit*.

13
14 11. Environmental Impact

15 For developments required to provide an environmental impact report under the
16 specifications of the Land Development Code Manual, the proposed
17 development will not contravene any applicable provision of the St. Lucie County
18 Comprehensive Plan, or of this Code, or any other environmental standards or
19 policies adopted by St. Lucie County, as may be amended from time to time.

20
21 12. Federal and State Environmental Permits

22 All federal or state permit approvals required for development proposed in the
23 site plan have been issued by the appropriate regulatory agency, or an intent to
24 issue the permit by the appropriate regulatory agency has been issued.

25 13. Conceptual Design Drawings

26 For all Major Site Plans, conceptual design drawings of all multi-family and
27 nonresidential buildings are included and approved as part of the site plan
28 (except for minor accessory and service facilities). Conceptual floor plans are
29 not required for those parts of development projects that include detached single-
30 family dwellings, but overall project design standards that conform to the
31 requirements of this Code shall be provided to guide the appearance of the
32 development.

1 14. Conditions

2 The Growth Management Director or designee may recommend and the
3 Board of County Commissioners shall attach such conditions, limitations,
4 or requirement to a site plan as the Board determines are necessary to
5 carry out the requirements of this Section, this Code, and the goals,
6 objectives, and policies of the Comprehensive Plan; prevent or minimize
7 adverse effects on other lands in the surrounding neighborhood, including
8 but not limited to conditions to limit size, intensity of use, density of use,
9 bulk and location, landscaping, lighting, and adequate ingress and egress.
10 Such conditions shall be set forth expressly in the Final Development
11 Order approving the site plan and be consistent with the requirements of
12 Chapter 11 *Conditions of Approval*.

13 15. Expiration of Site Plan

14 1. General

15 Except as provided in this subsection, a Minor Site Plan or a Major Site Plan shall be
16 valid for purposes of securing a Certificate of Zoning Compliance and Building Permit
17 for twenty-four (24) months from the date of approval. Unless a Certificate of Zoning
18 Compliance and Building Permit is approved within twenty-four (24) months, the site
19 plan shall automatically expire unless the site plan is extended pursuant to subsection
20 (3), below.

22 2. Certificate of Capacity Limitations

23 A Minor Site Plan or a Major Site Plan may be approved subject to the condition that
24 approval shall expire in less than 24 months, if it is demonstrated the Certificate of
25 Capacity issued for the site plan guarantees the necessary public services to serve the
26 development for less than 24 months. In those instances, the site plan approval shall
27 expire unless a Certificate of Zoning Compliance and Building Permit is approved for
28 the site plan within the period of time the service provider guarantees the necessary
29 public services will be available for the development proposed in the site plan.

31 3. Extensions Minor Site Plan Extensions

32 For good cause, the Growth Management Director or designee may extend the Minor
33 Site Plan up to twelve (12) months from the date of expiration set forth in the Final
34 Development Order approving the Minor Site Plan. No more than one (1) extension
35 shall be granted. The request for an extension shall be made to the Growth

1 Management Director or designee by the applicant, in writing, at least ninety (90)
2 workings days prior to the date of expiration. All such requests shall be accompanied
3 by a complete explanation of the reasons for the request for the extension.

4. Major Site Plan Extensions

6 The period of expiration for a Major Site Plan may be extended by the Board of County
7 Commissioners, for good cause shown, for up to twenty-four (24) months from the date of
8 expiration set forth in the Final Development Order approving the Major Site Plan. No
9 more than one (1) extension shall be granted. The request for an extension shall be
10 made to the Director by the applicant, in writing, at least ninety (90) working days prior to
11 the date of expiration. All such requests shall be accompanied by a complete
12 explanation of the reasons for the request for the extension.

13. Adjustments

1. Administrative Approval of Minor Deviations

16 The Growth Management Director or designee may authorize minor adjustments to an
17 approved Minor Site Plan or Major Site Plan using the Minor Adjustment process set
18 forth in Chapter 10. ~~Other Adjustments/Amendments~~

20 a. Any other adjustment to an approved Minor Site Plan that may not be
21 authorized using the Administrative Approval of Minor Deviations process,
22 including the cumulative effects of separate adjustments made since
23 July 1, 1984, shall require an amendment to the Minor Site Plan.

24 b. Any other adjustment to an approved Major Site Plan that may not be
25 authorized using the Administrative Approval of Minor Deviations process
26 shall require an amendment to the Major Site Plan.

14. AMENDMENT

28 A Minor Site Plan or a Major Site Plan may be amended, extended, or modified
29 only in accordance with the procedures and standards for its original approval.

15. ABANDONMENT OF CONSTRUCTION

1. General

1 a. If twenty-four (24) months after the date of original approval of a
2 Final Development Order for a site plan, or any extensions
3 thereto, a Building Permit is approved but construction has not
4 commenced and proceeded toward completion, site plan approval
5 shall be terminated by the Board of County Commissioners
6 pursuant to this subsection and become null and void.

7 b. Termination of the site plan approval pursuant to this subsection
8 shall occur only after notice to the applicant and landowner of the
9 site plan that the Board of County Commissioners will conduct a
10 hearing to determine whether the site plan is abandoned or
11 suspended, and should be terminated.

12 c. At the hearing on the matter, the Board of County Commissioners
13 shall consider the site plan, development activity that has occurred
14 since site plan approval, applicant/landowner statements and
15 information about development activity related to the site plan,
16 County Staff comments, and any other information it deems
17 relevant to consider. If after considering all relevant evidence and
18 testimony four (4) members of the Board of County
19 Commissioners determine construction of the development
20 approved in the site plan is abandoned or suspended, the site plan
21 approval shall be terminated by the Board of County
22 Commissioners.

23 2. Standards for Abandonment or Suspension

24 Development of the site plan shall be determined to be abandoned or suspended if at
25 the hearing it is demonstrated by competent substantial evidence that:

26
27 a. An active Building Permit has not been maintained in accordance
28 with the approved site plan and Section 13.00.00, or;

29 b. Development of the site plan has not proceeded toward the
30 completion of the approved uses and structure(s) for a six (6)
31 month period prior to the issuance of a Notice of Intent to revoke,
32 unless the inactivity is attributable to the deliberate and scheduled
33 phasing of a multiphase project.

34 16. Recordation

35 Upon approval of a Major Site Plan, the Growth Management Director or
36 designee shall record the Major Site Plan on the appropriate maps and
37 documents, and shall, at the developer's expense, record the Major Site Plan in
38 the public records of St. Lucie County.

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11.03.03. Review of Final Record Plat.